



WISCONSIN LEGISLATIVE COUNCIL

AMENDMENT MEMO

2001 Assembly Bill 358	Senate Amendments 1 and 2 to Assembly Substitute Amendment 1
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Current Law

Chapter 470, Stats., governs professional geologists, hydrologists and soil scientists. Current law prohibits a person from engaging or offering to engage in the practice of professional geology, professional hydrology or professional soil science unless the person is licensed by the Examining Board of Professional Geologists, Hydrologists and Soil Scientists. Current law also provides a number of exceptions to the licensing requirements, including allowing a federal government officer or employee to engage in the practice of professional geology, hydrology or soil science for the federal government without a license.

Assembly Bill 358

Assembly Bill 358 expands the exception from the licensure requirement in current law for a federal officer or employee to include an employee of a state agency or a local governmental unit who practices professional geology, hydrology or soil science for a state agency or local governmental unit. A local governmental unit means a county, city, village or regional planning commission.

The bill creates an exception from the licensure requirement for a person practicing archaeology, aquatic biology, bacteriology, fish management, forestry, horticulture, limnology, mycology, plant pathology, stream ecology, wetland science, or wildlife management if the person's practice of the profession involves the incidental practice of professional geology, hydrology or soil science and the person does not designate or represent himself or herself as a professional geologist, hydrologist or soil scientist.

In addition, the bill authorizes the examining board to exempt a person engaged in a profession related to archaeology, aquatic biology, bacteriology, fish management, forestry, horticulture, limnology, mycology, plant pathology, stream ecology, wetland science, or wildlife management from the licensure requirement by administrative rule if the practice of the profession involves only the

incidental practice of professional geology, hydrology or soil science, and the person does not designate or represent himself or herself as a professional geologist, hydrologist or soil scientist.

Assembly Substitute Amendment 1

Assembly Substitute Amendment 1 modifies the provision in the bill that exempts specified professions that involve the incidental practice of professional geology, hydrology and soil science from the licensure requirement. The substitute amendment provides that a person practicing a profession other than professional geology, hydrology or soil science, including (but not limited to) archaeology, aquatic biology, bacteriology, fish management, forestry, horticulture, limnology, mycology, plant pathology, stream ecology, wetland science, or wildlife management, where the practice of the profession involves knowledge within the range of professional geology, hydrology or soil science, is exempt from the licensure requirement if the practice of professional geology, hydrology or soil science is incidental to the person's profession and the person does not designate or represent himself or herself as a professional geologist, hydrologist or soil scientist.

Additionally, the substitute amendment provides that the incidental practice of professional geology, hydrology or soil science means that the practice is related to, but not the main purpose of, another profession or that the person practices professional geology, hydrology or soil science while primarily engaged in another profession.

Finally, the substitute amendment deletes the provision in the bill that authorizes the examining board to exempt a person from the licensure requirement by administrative rule.

Thus, the substitute amendment allows additional professions to be exempt from the licensure requirement under the specified conditions and provides guidance on activities that constitute the incidental practice of professional geology, hydrology or soil science.

Senate Amendment 1

Senate Amendment 1 restores the provision in the original bill that authorizes the Examining Board to create administrative rules to exempt a person engaged in a profession related to archaeology, aquatic biology, bacteriology, fish management, forestry, horticulture, limnology, mycology, plant pathology, stream ecology, wetland science or wildlife management from the licensure requirement if the person's profession involves only the incidental practice of professional geology, hydrology or soil science, and the person does not designate or represent himself or herself as a professional geologist, hydrologist or soil scientist.

Senate Amendment 2

Senate Amendment 2 deletes the licensure exemption for an officer or employee of the federal government, state agency or local governmental unit who practices professional geology, hydrology or soil science for the federal government, a state agency or a local governmental unit.

Legislative History

On November 8, 2001, the Assembly adopted Assembly Substitute Amendment 1 on a voice vote and passed Assembly Bill 358, as amended, on a voice vote.

On February 5, 2002, Assembly Bill 358 was withdrawn from the Senate Environmental Resources Committee by unanimous consent and taken up on the Senate floor. The Senate adopted Senate Amendments 1 and 2 on voice votes, and passed the bill, as amended, on a voice vote.

On February 7, 2002, the Assembly concurred in Senate Amendments 1 and 2 on voice votes. Assembly Bill 358, as amended, was messaged to the Senate on the same date.

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